

Serial No.: 10/789,390
Art Unit: 2874

REMARKS

Remarks

Claims 19 – 31 and 41 – 57 stand withdrawn without prejudice from the present Application as being drawn to non-elected inventions.

The Abstract stands objected to because it is not directed to the invention being claimed in this divisional application. A substitute new Abstract has been provided herewith. Acceptance thereof is requested.

The Title has been changed to reflect the present invention. Acceptance thereof is requested.

Thus, Applicant believes that the present application has been now placed in proper format for issuance. Claims 32 – 40 stand already allowed.

Additionally, in Applicant's previously submitted Response to the Requirement for Restriction filed with the Examiner on 10 March 2006, Applicant remarked relative to that Restriction as follows: "Applicant contends that claims of Group I and Group III, a method of optical switching and a method of moving carbon nanotubes are not necessarily different functions. An application of moving a carbon nanotube may function as a switch, see col. 7, lines 58 – 61 which discuss alternating waveforms to act as a switch. In col. 6, lines 43 -50, there is discussion of moving the

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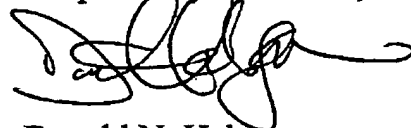
REMARKS

nanotube configuration by wave energy, hence the concepts are capable of use together. Therefore, Applicant submits that the claims of Group I and Group III are not unrelated and may be commonly examined". Inventor Crowley now also wishes to explain that in addition to the effect of wave energy, fields such as electric fields are likewise effective to separate a nanotube on a substrate from an adjacent structure, discussed for example, on page 9, lines 20 - 25. This same static electric current may be in the form of a DC current applied to the substrate material for altering the conduction at the nanotube, and may be used to switch a signal. Therefore, it is to be noted that there are multiple switching principles of this invention.

All the claims are now listed in compliance to 37 CFR 1.121, in response to the Notice of Non-Compliant Amendment dated 06/06/2006.

Again, Applicant notes that remaining claims 32 - 40 have been allowed. Therefore, passage to allowance is earnestly solicited.

Respectfully submitted,



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